

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 19, 1938.

The City Council of the City of Austin, Texas, met in regular session at its regular meeting place on May 19, 1938, at 10:40 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf; absent, Councilman C. M. Bartholomew.

The Minutes of the regular meeting of May 12, 1938, were read, and upon motion of Councilman Alford, were adopted, as read, by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford offered the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be, and the same is hereby, permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in DEXTER STREET from Garner Avenue easterly 204 feet, the centerline of which gas main shall be 7½ feet south of and parallel to the north line of said Dexter Street.

Said gas main described above shall have a covering of not less than 2½ feet.

(2) A gas main in PENNSYLVANIA AVENUE from Chicon Street easterly 115 feet, the centerline of which gas main shall be 13½ feet south of and parallel to the north line of said Pennsylvania Avenue.

Said gas main described above shall have a covering of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf offered the following:

Austin, Texas
May 19, 1938

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of R. G. Mueller for permission to construct, maintain and operate a drive-in gasoline filling station, and to construct commercial driveways in conjunction therewith, upon property located at the southwest corner of the intersection of West Sixth Street and Rio Grande Street, which property is known as Lots 5 and 6, Block 49, of the Original City of Austin, Travis County, Texas, and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C-2" Commercial Use District upon the zoning maps of the City of Austin.

We recommend that R. G. Mueller be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the city streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the city sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction, the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any city street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-H-597.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-597, and shall be of the pre-moulded type.

(6) That before use of said station, the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

J. E. Motheral
City Engineer

J. C. Eckert
Building Inspector.

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the southwest corner of the intersection of West Sixth Street and Rio Grande Street, which property is owned by R. G. Mueller and is designated as Lots 5 and 6, Block 49, of the Original City of Austin, Travis County, Texas, and hereby authorizes the said R. G. Mueller to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted

and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if after hearing it is found by the City Council that the said R. G. Mueller has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following report of the Board of Adjustment was received:

"Hon. Mayor and City Council
Austin, Texas

Gentlemen:

The Board of Adjustment at a meeting held on May 17, 1938, passed the following resolution, which is hereby submitted for your consideration:

R E S O L U T I O N .

WHEREAS, the City Council of the City of Austin, pursuant to the terms of Section 30 of the Zoning Ordinance of the City of Austin, has referred to the Board of Adjustment for its consideration the petition of Dr. H. B. Granberry for a change in the Use designation of No. 1512-14 Fredericksburg Road from "A" Residence District to "C-2" Commercial District; and

WHEREAS, the Board considered this proposed change at meetings on May 10 and May 17; and

WHEREAS, on May 17, 1938, Dr. Granberry filed with the Board a notice of withdrawal of the application for a change to "C-2" Commercial District and applied for a change to a "C" Commercial District; and

WHEREAS, the Board carefully studied the question of the change of the Use designation of this property and found that present zoning maps now show a commercial zone extending from the former City limits along both sides of Fredericksburg Road to within 140 feet of Dr. Granberry's property, and that should the property of Dr. Granberry be re-classified it would leave a 140-foot strip of residential property between two commercial zones; and

WHEREAS, there is now located an old store building on the property of Dr. Granberry which has been used for commercial purposes for considerable time; therefore

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT:

THAT it is recommended to the City Council that the present commercial zone along Fredericksburg Road be extended to include both the property of Dr. Granberry and the intervening 140-foot strip belonging to C. W. Fair, and that this extension be made on both sides of Fredericksburg Road to a depth of 150 feet.

Respectfully submitted,

BOARD OF ADJUSTMENT

H. F. Kuehne
Chairman

May 18, 1938.

It was the sense of the meeting that a public hearing on the proposed change in zoning of the property described in the foregoing report of the Board of Adjustment be called for Thursday, June 9, 1938.

Councilman Alford offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$100 be, and the same is hereby, appropriated out of the General Fund, not otherwise appropriated, for the purpose of paying Austin High School Band for concerts to be given for the City Recreation Department.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

A request from the South Austin Civic Club, presented by B. J. Rupert, President, for a police substation for South Austin, was referred to the City Manager and the Chief of Police for consideration.

Councilman Alford moved that the following named persons be granted taxicab driver's permits, in accordance with the recommendation of Roy J. Smith, Captain of Police, Traffic Division: John Leonard Ellett, 1003 West 11th Street, and John Hugh Willeford, 610 West 30th Street. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following reports were received:

"CERTIFICATE RECOMMENDING ACCEPTANCE.

To: City of Austin, Texas
Guiton Morgan, City Manager

This is to certify that I have made a complete and final inspection of work performed on Public Works Administration Docket No. Tex-1854-DS under contract to the following:

<u>Contract Numbers</u>	<u>Firm Name</u>	<u>Type of Contract</u>
4	Yarbrough Construction Company	General Construction

and find that same has been completed in compliance with the approved Plans and Specifications.

We hereby recommend acceptance of the above work as being satisfactorily completed this 11th day of May, 1938.

Kreisle & Brooks, Architects

By Edwin C. Kreisle. "

"CERTIFICATE RECOMMENDING ACCEPTANCE

To: City of Austin, Texas
Guiton Morgan, City Manager

This is to certify that I have made a complete and final inspection of work performed on Public Works Administration Docket No. Tex-1854-DS under contract to the following:

<u>Contract Numbers</u>	<u>Firm Name</u>	<u>Type of Contract</u>
5	Spiller-Miller	Plumbing and Heating

and find that same has been completed in compliance with the approved Plans and Specifications.

I hereby recommend acceptance of the above work as being satisfactorily completed this 4th day of May, 1938.

Kreisle & Brooks, Architects,

By Edwin C. Kreisle "

"CERTIFICATE RECOMMENDING ACCEPTANCE

To: City of Austin, Texas
Guiton Morgan, City Manager

This is to certify that we have made a complete and final inspection of work performed on Public Works Administration Docket No. Tex-1854-DS under contract to the following:

<u>Contract Numbers</u>	<u>Firm Name</u>	<u>Type of Contract</u>
7	Swann-Schulle Furniture Company	Furniture

and find that same has been completed in compliance with the approved Plans and Specifications.

We hereby recommend acceptance of the above work as being satisfactorily completed this 19th day of May, 1938.

Kreisle & Brooks, Architects

By Edwin C. Kreisle. "

Councilman Wolf introduced the following resolution:

WHEREAS, Kreisle & Brooks, architects in charge of Docket Number Texas-1854-DS-4-5-7, being the project for the general construction, plumbing and heating, and

installation of furniture and equipment for the Central Fire Station, City of Austin, have reported that the general construction, materials and/or equipment have been completely furnished by the following named contractors:

General Construction - Yarbrough Construction Company
 Plumbing and Heating - Spiller-Miller
 Furniture and Equipment-Swann-Schulle Furniture Company

in accordance with the plans and specifications and with the rules and regulations of the Public Works Administration, and in an acceptable manner to the PWA Inspector, and have recommended to the City Council the final acceptance of the general construction, plumbing and heating, and furniture and equipment and the payment of the final estimates due thereon; and

WHEREAS, the City Council has inspected said project and the work thereof and is of the opinion that same should be finally accepted; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT said project and the work thereof is hereby accepted as completed, and the City Manager be, and he is hereby, authorized and directed to approve the final estimates and to issue warrants in payment thereof, and that he be further authorized and directed to release the contractors from any further liability in connection with said work, and to authorize the cancellation of the bonds guaranteeing the successful completion of the project.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following report was received:

"Austin, Texas
 May 25, 1936

Project Tex-1654-DB
 Electrical Contract
 Plumbing & Heating Contract
 General Contract
 Central Fire Station

Mr. Guiton Morgan
 City Manager
 City of Austin
 Austin, Texas

Dear Sir:

Relative to the stage of construction of the above project, will say that the General, Plumbing and Heating, and Furniture Contracts have been completed and accepted in their entirety and, with the exception of several corrections to be made by the Electrical Contractor, the electrical contract has been completed. It is our opinion that the electrical corrections will be made in the next two or three days, and at that time this part of the work can be accepted also.

Very truly yours,

Kreisle & Brooks
 By Edwin C. Kreisle. "

Councilman Wolf then introduced the following resolution:

WHEREAS, Kreisle & Brooks, architects in charge of Docket Number-Texas-1654-DB-6, being the project for the electrical work for the Central Fire Station, City of Austin, have reported that the electrical work has been substantially completed by Curtis Electrical Company in accordance with the plans and specifications and with the rules and regulations of the Public Works Administration, and in a substantially satisfactory manner to the PWA Inspector, and have recommended to the City Council the final acceptance of the various work involved, subject to the submission by the contractor of a letter stating that certain minor work yet uncompleted will be satisfactorily completed; and

WHEREAS, the City Council has inspected said project and the work thereof, and

is of the opinion that same should be accepted, subject to the filing of a letter by the architects that certain minor corrections have been satisfactorily completed; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT said project and the work thereof is hereby accepted as substantially completed, and the City Manager be, and he is hereby, authorized and directed to approve the final estimates and to issue warrants in payment thereof upon receipt of a letter from the architects stating that all conditions required in the plans and specifications and the PWA requirements have been met, and on the further condition that the Curtis Electrical Company file an affidavit signed before a notary public stating that all employees of said company on said contract have been paid the wage scale provided in the contract, and further stating that no employees have been used to do any work for which they were not classified and authorized as provided for in the labor classification, and that, upon receipt of the information herein specified, he be authorized and directed to release the contractor from any further liability in connection with said work, and to authorize the cancellation of the bonds guaranteeing the successful completion of the project.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

There being no further business, upon motion, seconded and carried, the meeting was recessed at 11:20 A. M., subject to call of the Mayor.

Approved: Tom Miller
Mayor

Attest:

Hellie McKellar
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, May 26, 1938.

The City Council of the City of Austin, Texas, met in regular session, at the regular meeting place, on May 26, 1938, with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, and Mayor Tom Miller; absent, Councilman Oswald G. Wolf.

The reading of the Minutes was dispensed with.

Councilman Alford offered the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN: